

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Balkin, et al.	
Application No.: 10/757,480	
Filed: 1/15/2004	Art Unit: 3736
Title: Method and System for Predicting Human Cognitive Performance	
Attorney Docket No.: WRA 97-09F2CON2	

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION**

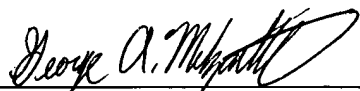
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to a Notice to File Missing Parts of Nonprovisional Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- (X) Executed Declaration (37 CFR 1.63) which was executed in Serial Number 09/844,434 and filed April 30, 2001. This application claims priority from that application.
- (X) Executed Power of Attorney from Serial Number 09/844,434
- (X) Supplemental Application Data Sheet
- (X) A Petition for Extension of Time (2 copies) for reply to Notice of Missing Parts is attached.
  - (X) four months (\$1,530.00)
- (X) Fee Transmittal Sheet (2 copies) with authorization to charge Deposit Account for the Missing parts Surcharge \$130.00.

Respectfully submitted,

By   
George A. Metzenthin, Reg. No.: 41,995

CAHN & SAMUELS, LLP  
2000 P Street N.W.  
Suite 200  
Washington, DC 20036-6924  
Telephone No.: 202-331-8777  
Facsimile No.: 202-331-3838

Date: 10/19/04

OTPE JC98  
OCT 19 2004

PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 130.00

## Complete if Known

Application Number 10/757,480

Filing Date 1/15/2004

First Named Inventor Balkin, et al.

Examiner Name

Art Unit 3736

Attorney Docket No. WRA 97-09F2CON2

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number  
Deposit Account Name

21-0380

U.S. ARMY

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20**=	X	
Multiple Dependent	-3**=	X	

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130.00

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	George A. Metzenthin	Registration No. (Attorney/Agent)	41,995	Telephone	202-331-8777
Signature	<i>George A. Metzenthin</i>	by permission of Elizabeth Arwine	Date	10/19/04	

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/757,480	01/15/2004	Thomas J. Balkin	WRA 97-09F2CON2

CONFIRMATION NO. 4164

## FORMALITIES LETTER



\*OC000000012391284\*

27370  
 OFFICE OF THE STAFF JUDGE ADVOCATE  
 U.S. ARMY MEDICAL RESEARCH AND MATERIEL COMMAND  
 ATTN: MCMR-JA (MS. ELIZABETH ARWINE)  
 504 SCOTT STREET  
 FORT DETRICK, MD 21702-5012

Date Mailed: 04/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/21/2004 GWORDF1 00000005 210380 10757480 FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

RECEIVED  
 OCT 21 2004  
 OIPE/JCWS

*A copy of this notice **MUST** be returned with the reply.*

*Pham*

~~Customer~~ Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE